

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Days Inns Worldwide, Inc., :
formerly known as Days Inns Of : Civil Action No. 08cv0027 (VM)
America, Inc., a Delaware Corporation, :

Plaintiff, : **SUPPLEMENTAL AFFIDAVIT OF**
v. : **SERVICE**

JBS INC., II a South Carolina Corporation; :
JONATHAN B. SMITH, an individual; and :
MARCI SINGLETON SMITH, an :
individual, :

Defendants.

STATE OF NEW JERSEY)
)SS:
COUNTY OF ESSEX)

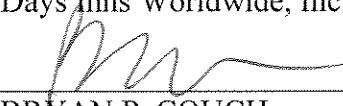
BRYAN P. COUCH, being duly sworn, according to law, upon his oath, deposes
and says:

I am an attorney-at-law of the State of New Jersey and am an associate with the
firm of Connell Foley LLP, attorneys for plaintiff Days Inns Worldwide, Inc. ("DIW"), in
the above matter.

1. By letter dated February 6, 2008 a copy of which is attached hereto as
Exhibit A, a copy of the summons and complaint was sent via regular mail to Jonathan B.
Smith. Mr. Smith had contacted this office prior to that date and advised that he would
accept service at the addresses listed on the attached letter.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

CONNELL FOLEY LLP
Attorneys for Plaintiff,
Days Inns Worldwide, Inc.

By: 
BRYAN P. COUCH

Dated: 3 | 19 | 08

EXHIBIT A

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 LEE B. WILSON

PLEASE REPLY TO ROSELAND, N.J.

*ALSO ADMITTED IN NEW YORK
 **ALSO ADMITTED IN PENNSYLVANIA
 —ONLY ADMITTED IN NEW YORK

WRITER'S DIRECT DIAL

February 6, 2008

Via Regular Mail

Jonathan B. Smith
 228 North Front Street, Suite 101
 Wilmington, North Carolina 28401

Jonathan B. Smith
 977 Briarwood Drive
 Myrtle Beach, South Carolina 29572

Re: Days Inns Worldwide, Inc. v. JBS Inc., II, a South Carolina Corporation, et al.
Civil Action No. 08-cv-0027

Dear Mr. Smith:

Pursuant to your recent telephone discussion with our office, enclosed is a copy of the Summons and Complaint in this matter, filed on January 3, 2008.

This correspondence shall confirm that you have agreed to accept service of same via regular mail. Please be guided accordingly.

Very truly yours,



MATTHEW S. SCHULTZ